

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8667 of 2015

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Arun Kumar Singh S/o Late Bharat Kumar Singh Resident of Village Paradih,
Police Station Keoti, District Darbhanga, at present residing at Girindra
Mohan Road, Lalbagh, Police Station Town, District Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Engineer-in-Chief, Minor Irrigation Department, Government of Bihar,
Patna.
3. The Commissioner, Minor Water Irrigation Department, Government of
Bihar, Patna.
4. The Chief Engineer, Minor Irrigation, North Bihar, Muzaffarpur.
5. The Superintending Engineer, Minor Irrigation, Anchal, Darbhanga.
6. The Executive Engineer, Minor Irrigation Division, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kaushalesh Choudhary
For the Respondent/s : Mr.Manoj Kumar, Ac to GP 4

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-08-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Petitioner has raised his claim for promotion on class
III post placing reliance on the letter dated 05.12.1989 said to
have been issued by the Executive Engineer. Claim has been
asserted on the basis of letter dated 05.12.1989 by issuing legal
notice in the year 2015, whereafter instant proceedings has been
filed.

State in the counter affidavit has taken specific stand
that no person junior to the petitioner has been granted



promotion on class III post. It is also stated on affidavit by the respondents that no such letter exists and the communication dated 05.12.1989, annexure 3 to the writ petition which is relied upon by the petitioner is not available in the official record either in the office of the Executive Engineer or Superintending Engineer. Dispatch register does not show issuance of any such letter. Specific stand of the respondents in the counter affidavit is that the petitioner has approached this court belatedly on the basis of forged and fabricated letter.

Said stand of the State in the counter affidavit filed in the year 2015, after due service upon counsel for the petitioner is not denied or disputed by counsel for the petitioner. Belated claim of the petitioner in the circumstance is not found to be tenable.

Writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

s.hassan/-

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